

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT W. TONER,

Plaintiff,

v.

GEICO INSURANCE COMPANY,

Defendant.

CIVIL ACTION
NO. 17-0458

ORDER

AND NOW, this 6th day of July 2017, upon consideration of the Complaint (Doc. No. 1, Ex. A), Defendant's Motion to Dismiss the Complaint (Doc. No. 3), and Plaintiff's Response in Opposition to the Motion to Dismiss (Doc. No. 5), and in accordance with the Opinion of the Court issued this day, it is **ORDERED** that the Motion to Dismiss (Doc. No. 3) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendants' Motion to Dismiss is **DENIED** with respect to Plaintiff's breach of contract claim (Count I).
2. Defendant's Motion to Dismiss is **GRANTED** with respect to Plaintiff's bad faith claim (Count II).
3. Defendant is **ORDERED** to file an Answer to Plaintiff's remaining claim within fourteen (14) days of the entry of this Order.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.